

**DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION**

As a below named inventor, I hereby declare that my citizenship, postal address and residence are as stated below; that I verily believe I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**Novel Hemolytic Active Proteins and Genes Encoding The Same**

the specification of which

\_\_\_\_\_ is attached hereto, or  
☒ was filed on March 30, 1999 as Application Serial No. PCT/JP99/01607 and  
 \_\_\_\_\_ was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year)	Yes
<u>JP10-88569</u>	<u>JAPAN</u>	<u>01.04.1998</u>	<u>Yes</u>
_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year)	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known to be material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.)	(Filing Date)	(Status)
_____	_____	_____

9 I hereby appoint as principal attorneys Martin Fleit, Reg. No. 16,900; Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,260; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; Richard R. Diefendorf, Reg. No. 32,390; and Paul A. Schnose, Reg. No. 39,361, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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**23911**

PATENT TRADEMARK OFFICE

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(signature of 5th inventor)

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